

ENTERED

November 12, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

DANA BOWMAN

§

VS.

§

§ CIVIL ACTION NO. 3:19-CV-00066

PRIDA CONSTRUCTION INC., ET
AL.

§

§

§

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On March 3, 2020, both Plaintiff's Motion for Partial Summary Judgment and Memorandum of Law in Support Thereof (Dkt. 36) and Defendants' Motion for Partial Summary Judgment (Dkt. 37) were referred to United States Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1)(B). Dkt. 41. On October 8, 2020, Judge Edison filed a memorandum and recommendation (Dkt. 57) recommending that Plaintiff's Motion for Partial Summary Judgment and Memorandum of Law in Support Thereof (Dkt. 36) be granted in part and denied in part, and that Defendants' Motion for Partial Summary Judgment (Dkt. 37) be denied.


On October 22, 2020, the defendants filed their objections to the memorandum and recommendation. See Dkt. 60. In accordance with 28 U.S.C. § 636(b)(1)(C), this court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the court may "accept, reject, or modify, in whole or in part, the

findings or recommendations made by the magistrate judge.” *Id.*; *see also* Fed R. Civ. P. 72(b)(3).

The court has carefully considered the objections, the memorandum and recommendation; the briefing; and the record. The court accepts Judge Edison’s Memorandum and Recommendation and adopts it as the opinion of the court. It is therefore ordered that:

- (1) Judge Edison’s memorandum and recommendation (Dkt. 57) is approved and adopted in its entirety as the holding of the court;
- (2) Plaintiff’s Motion for Partial Summary Judgment and Memorandum of Law in Support Thereof (Dkt. 36) is granted in part and denied in part. Specifically, the plaintiff is entitled to summary judgment as to item nos. 31, 34, and 72–102. All other requests for injunctive relief remain; and
- (3) Defendants’ Motion for Partial Summary Judgment is denied.

Signed on Galveston Island this 12th day of November, 2020.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE